

Demerris Walker

V

State of Delaware

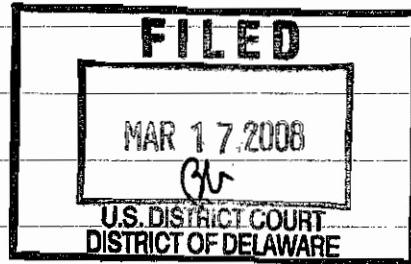
Civ. Act. No. 07-624.JJF

Answer

Defendant state that even though his postconviction was denied it still has to been seen in a higher court if all his state remedies be exhausted

Defendant Walker also states that his claim are not untimely following the rules of exhausting all state court before presenting in a higher court also the defendant is working pro se.

Defendant states if court looks at how the trial Counsel was ineffective ~~the~~ the failure to test evidence in part of a clients Defense is a error. Jones V Woods 114 F3d 1002.



the State argues that the defendant cannot credibly allege that the legal arguments or facts were unavailable to the defendant during the limitations period

Defendant States had Mr. Joseph R Biden did his research he will see that there are plenty of letters forwarded to the Sussex County Superior Court stating that the defendant doesn't have transcript. and stated that he would be raising the ineffective counsel claim but how can the arguments be put forward if there are no transcripts in the defendant possession also noted in the Supreme Court docket. due to the letters that was sent with the transcript after the defendant had set for the issue.

Date 3-13-08

Deneau Walsh

IM Demerris Walker

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